

As a below named inventor, I hereby declare that:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

the specification of which

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 (a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application(s) for patent or inventor's certificate, or PCT International application having a filing date prior to that of the application on which priority is claimed.

Prior Foreign Application(s) (if any):

| Number      | Country                     | Filing Date                               | Priority Not Claimed |
|-------------|-----------------------------|---|----------------------|
| <u>None</u> | <u>                    </u> | <u>                    </u><br>(MM/DD/YY) | [    ]               |

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application No. None Filing Date (MM/DD/YY)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT International application designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or the PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined

in 37 C.F.R. § 1.56 which become available between the filing date of the prior application and the national or PCT international filing date of this application:

| Application<br>No.     Date | Filing<br>Pending, Abandoned) | Status (Patented) |
|-----------------------------|-------------------------------|-------------------|
|-----------------------------|-------------------------------|-------------------|

None

(MM/DD/YY)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Charles W. Almer, III.....(Reg. No. 36,731)  
 Elizabeth Anderson.....(Reg. No. 31,585)  
 John A. Artz.....(Reg. No. 25,824)  
 John S. Artz.....(Reg. No. 36,431)  
 Charles W. Ashbrook.....(Reg. No. 27,610)  
 Michael J. Atkins.....(Reg. No. 35,431)  
 Jean B. Barish.....(Reg. No. 34,118)  
 Todd M. Crissey.....(Reg. No. 37,807)  
 Evan J. Federman.....(Reg. No. 37,060)  
 M. Andrea Ryan.....(Reg. No. 28,649)  
 Evelyn D. Shen.. . . . . (Reg. No. 39,834)  
 Francis J. Tinney.....(Reg. No. 33,069)  
 Linda A. Vag.....(Reg. No. 32,071)

Address all telephone calls to Charles W. Almer at telephone number (973) 540-4401.

Address all correspondence to:

Charles W. Almer, III  
 Attorney for Applicant  
 Warner Lambert Company  
 201 Tabor Road  
 Morris Plains, N.J. 07950

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, pursuant to 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

-----  
 Full name of sole or  
 first inventor (given name,  
 family name)

Robert A. Scott

First Inventor's signature

RA Scott

Date: 11 February, 1991

Residence

Königin Elisabethplein 26, bus 4,  
 B-9100 Sint Niklaas  
 BELGIUM

Citizenship

British

Post Office Address

Same

Full name of second joint  
inventor (given name,  
family name)

Ewart T. Cole

Inventor's signature

\_\_\_\_\_ Date: \_\_\_\_\_

Residence

Homelstrasse 36  
CH-4114 Hofstetten  
SWITZERLAND

Citizenship  
Post Office Address

British  
Same

Full name of second joint inventor

**COMBINED DECLARATION AND POWER  
OF ATTORNEY IN ORIGINAL APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name; and that

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**ENTERIC AND COLONIC DELIVERY USING HPMC CAPSULES**

the specification of which

☐ is attached hereto, or,  
☒ was filed on 09/28/98 as United States  
 (MM/DD/YY)  
 Application Number 60/102017 or PCT  
 International Application No. and was amended  
 on \_\_\_\_\_ (if applicable).  
 (MM/DD/YY)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

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Prior Foreign Application(s) (if any):

| Number      | Country | Filing Date      | Priority Not Claimed     |
|-------------|---------|------------------|--------------------------|
| <u>None</u> | _____   | _____ (MM/DD/YY) | <input type="checkbox"/> |

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

| Application No. | Filing Date      |
|-----------------|------------------|
| <u>None</u>     | _____ (MM/DD/YY) |

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT International application designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or the PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined

10240-22932880

in 37 C.F.R. § 1.56 which become available between the filing date of the prior application and the national or PCT international filing date of this application:

| Application<br>No. | Date | Filing<br>Pending, Abandoned) | Status (Patented) |
|--------------------|------|-------------------------------|-------------------|
|--------------------|------|-------------------------------|-------------------|

None

(MM/DD/YY)

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 Todd M. Crissey.....(Reg. No. 37,807)  
 Evan J. Federman.....(Reg. No. 37,060)  
 M. Andrea Ryan.....(Reg. No. 28,649)  
 Evelyn D. Shen.. . . . . (Reg. No. 39,834)  
 Francis J. Tinney.....(Reg. No. 33,069)  
 Linda A. Vag.....(Reg. No. 32,071)

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 201 Tabor Road  
 Morris Plains, N.J. 07950

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Full name of sole or  
 first inventor (given name,  
 family name)

Ewart T. Cole

First Inventor's signature

Date: 28.01.99

Residence HOMELSTRASSE 36, 4114 HOFSTETTEN, SWITZERLAND

Citizenship  
 Post Office Address

British  
Same

Full name of second joint  
inventor if any (given name,  
family name)

Robert A. Scott

First Inventor's signature

\_\_\_\_\_ Date: \_\_\_\_\_

Residence

Königin Elisabethplein 26, bus 4,  
B-9100 Sint Niklaas  
BELGIUM

Citizenship

British

Post Office Address

Same

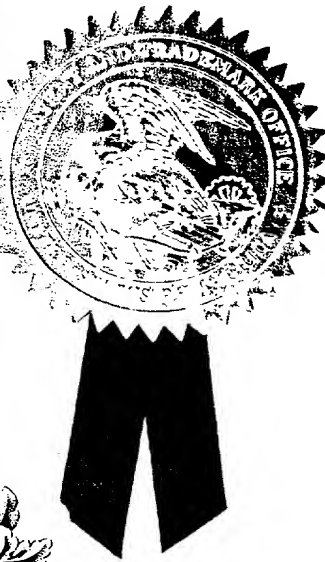
TO/FR = 24/24

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**


**UNITED STATES DEPARTMENT OF COMMERCE**  
**United States Patent and Trademark Office**

**June 17, 1999**

**THIS IS TO CERTIFY THAT ANNEXED IS A TRUE COPY FROM THE  
RECORDS OF THIS OFFICE OF A DOCUMENT RECORDED ON  
FEBRUARY 26, 1999.**

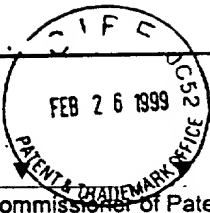


By Authority of the  
COMMISSIONER OF PATENTS AND TRADEMARKS

  
N. WOODSON  
Certifying Officer

FORM PTO-1595 (Modified)  
(Rev. 6-93)  
OMB No. 0651-0011 (exp 4/94)  
Copyright 1994-97 LegalStar  
POS/REV02

Tab settings → → →



RI

03-05-1999



Docket No.: 6514-11-CWA

D/7

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner of Patents

100978333

Send original documents or copy thereof

1. Name of conveying party(ies): MRO 2-26-99  
COLE, Ewart T.  
SCOTT, Robert A.

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other

Execution Date: E.Cole 1/28/99 R. Scott 2/11/99

2. Name and address of receiving party(ies):

Name: Warner-Lambert Company

Internal Address: Legal Division, Patents

Street Address: 201 Tabor Road

City: Morris Plains State: NJ ZIP: 07950

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: 09/28/98

A. Patent Application No.(s)

B. Patent No.(s)

60/102,017

03/04/1999 JSH:BAZZ 00000008 230450 60102017

01 FC:581

40.00 CH

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Rose Armstrong

Internal Address: Warner-Lambert Company

Legal Division - Patents

Street Address: 201 Tabor Road

City: Morris Plains, State: NJ ZIP: 07950

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41):.....\$ 40.00 E

☐ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☒ Authorized to be charged to deposit account

8. Deposit account number:

23-0450

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Charles W. Almer

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 5

PATENT

REEL: 9792 FRAME: 0475



ASSIGNMENT

As a below-named inventor, I hereby declare that:

My post office address is as stated below under my signature and I am named as an inventor of the inventions or discoveries (herein INVENTIONS) as described in the patent application (herein APPLICATION) identified below.

In view of valuable consideration, receipt thereof is hereby acknowledged, I do hereby assign and transfer unto WARNER-LAMBERT COMPANY, a corporation of the State of Delaware, having a place of business at MORRIS PLAINS, NEW JERSEY, its successors and assigns, my entire interest in and the full exclusive right to the INVENTIONS, the APPLICATION and all related applications (including divisions, reissues, continuations, and extensions thereof) and all counterparts in other countries and any and all Letters Patent (and certificates of invention or similar certificates) (herein PATENTS) which may be granted based upon the INVENTIONS or the APPLICATION or related applications or counterparts in other countries; said transfer and assignment being applicable throughout the world. I hereby authorize and request officials of patent offices in any and all countries of the world to issue any and all of the PATENTS, when granted, to WARNER-LAMBERT COMPANY, its successors and assigns, as the assignee of my entire right, title and interest in and to the same. I agree that I will communicate to WARNER-LAMBERT COMPANY, or its representatives, any facts known to me respecting the invention; testify in any legal proceedings; sign all lawful papers; execute all divisional, continuation, substitution, renewal and reissue applications; execute all necessary assignment papers to cause any and all of the PATENTS to be issued to WARNER-LAMBERT COMPANY; make all rightful oaths; and generally do everything possible to aid WARNER-LAMBERT COMPANY, its successors and assigns, to obtain and enforce proper protection for the INVENTION in any and all countries throughout the world. The APPLICATION is identified herein.

Serial No. (if known): 60/102017

Filing Date (if known): September 28, 1998

Execution Date(s) of Application: \_\_\_\_\_

Title: ENTERIC AND COLONIC DELIVERY  
USING HPMC CAPSULES

FULL NAME OF INVENTOR : Ewart T. Cole

Signature of Inventor :

Address :

HOMELSTRASSE 36  
4114 HOFSTETTEN  
SWITZERLAND

ASSIGNMENT

I, a below-named inventor, I hereby declare that:

My post office address is as stated below under my signature and I am named as an inventor of the inventions or discoveries (herein INVENTIONS) as described in the patent application (herein APPLICATION) identified below.

In view of valuable consideration, receipt thereof is hereby acknowledged, I do hereby assign and transfer unto WARNER-LAMBERT COMPANY, a corporation of the State of Delaware, having a place of business at MORRIS PLAINS, NEW JERSEY, its successors and assigns, my entire interest in and the full exclusive right to the INVENTIONS, the APPLICATION and all related applications (including divisions, reissues, continuations, and extensions thereof) and all counterparts in other countries and any and all Letters Patent (and certificates of invention or similar certificates) (herein PATENTS) which may be granted based upon the INVENTIONS or the APPLICATION or related applications or counterparts in other countries; said transfer and assignment being applicable throughout the world. I hereby authorize and request officials of patent offices in any and all countries of the world to issue any and all of the PATENTS, when granted, to WARNER-LAMBERT COMPANY, its successors and assigns, as the assignee of my entire right, title and interest in and to the same. I agree that I will communicate to WARNER-LAMBERT COMPANY, or its representatives, any facts known to me respecting the invention; testify in any legal proceedings; sign all lawful papers; execute all divisional, continuation, substitution, renewal and reissue applications; execute all necessary assignment papers to cause any and all of the PATENTS to be issued to WARNER-LAMBERT COMPANY; make all rightful oaths; and generally do everything possible to aid WARNER-LAMBERT COMPANY, its successors and assigns, to obtain and enforce proper protection for the INVENTION in any and all countries throughout the world. The APPLICATION is identified herein.

Serial No. (if known): 60/102017

Filing Date (if known): September 28, 1998

Execution Date(s) of Application: \_\_\_\_\_

Title: ENTERIC AND COLONIC DELIVERY  
USING HPMC CAPSULES

FULL NAME OF INVENTOR : Robert A. Scott

Signature of Inventor :

*RA Scott*

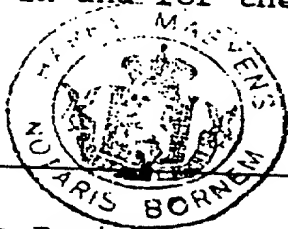
Address :

Königin Elisabethplein 26,  
bus 4,  
B-9100 Sint Niklaas  
BELGIUM

STATE OF BELGIUM  
COUNTY OF BORNEM

2

On 11 februari 1999, the above-named inventor personally appeared before me and executed the foregoing instrument and acknowledged the same to be his/her free act and deed in and for the purpose set forth in said instrument.



Notary Public

My Commission Expires:

(SEAL)

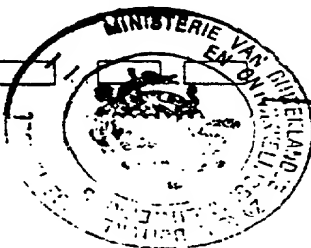
NOTARIS H. MAEYENS  
Nieuwstraat 1C - 2880 BORNEM  
Tel. 03 / 859 27 89

1. Land, ...  
2. ...  
3. ... in hoedanigheid van ...  
4. ... van het zegel / stempel van ...  
5. ...  
6. ...

12-02-1999

061218

100F 100F



ca2v3326.doc

PATENT  
REEL: 9792 FRAME: 0478

DR. BEAT SCHULTHEISS  
ADVOKAT & NOTAR

28 Jan 1999

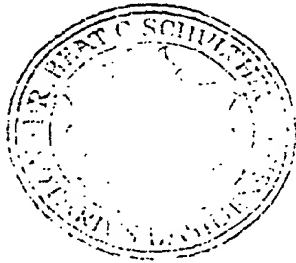
## CERTIFICATION

On Thursday, January 28, 1999,

Mr. Ewart T. Cole, British subject, with residence at Hofstetten (Switzerland),

personally appeared before me, the undersigned Notary public of the Canton of Basle-City, Switzerland, and executed the foregoing instrument and acknowledged the same to be his free act and deed in and for the purpose set forth in said instrument.

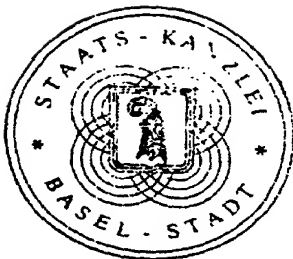
B a s e , this 28th (twenty-eighth) day of January 1999  
(nineteenhundred and ninety-nine).



*Dr. B. Schultheiss*

*Notary*

A. Prot. 1999, Nr. *10*



| APOSTILLE                                 |                           |
|---|---------------------------|
| (Convention de la Haye du 5 octobre 1961) |                           |
| 1. Land: Schweiz (Gibet)                  |                           |
| Diese öffentliche Urkunde                 |                           |
| 2. ist ausgestellt von                    | <i>B. Schultheiss</i>     |
| 3. in der Eigenschaft                     | <i>off. Notar</i>         |
| 4. Siegel                                 | <i>Gemeinde</i>           |
| - 4. Feb. 1999                            |                           |
| 5. in Basel                               |                           |
| 7. der                                    | <i>Kanton Basel-Stadt</i> |
| 8. unter Nr.                              | <i>898/11408</i>          |
| 9. Siegel/Stempel                         |                           |
| 10. Unterschrift                          | <i>Heidi Probst</i>       |

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**

Applicant(s): Cole, Ewart T. and Scott, Robert A.

Docket No.

6514-11-CWA

Serial No.

60/102,017

Filing Date

September 28, 1998

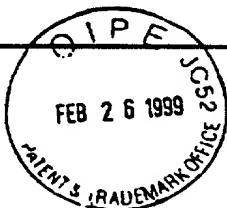
Examiner

Not yet assigned

Group Art Unit

Not yet assigned

Invention: ENTERIC AND COLONIC DELIVERY USING HPMC CAPSULES

I hereby certify that this RECORDATION FORM COVER SHEET AND ASSIGNMENTS

(Identify type of correspondence)

is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The

Assistant Commissioner for Patents, Washington, D.C. 20231 on

FEBRUARY 23, 1999

(Date)

LISA PETERS

(Typed or Printed Name of Person Mailing Correspondence)

A handwritten signature in cursive script that reads "Lisa Peters".

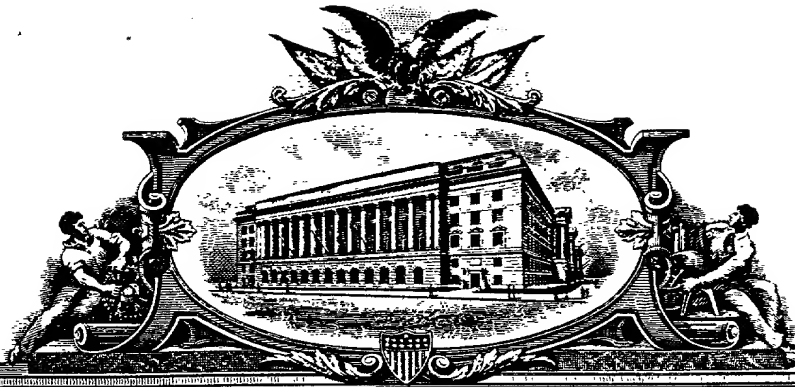
(Signature of Person Mailing Correspondence)

Note: Each paper must have its own certificate of mailing.

P07A/REV03

RECORDED: 02/26/1999

PATENT  
REEL: 9792 FRAME: 0480



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office**

**February 1, 1999**

**THIS IS TO CERTIFY THAT ANNEXED HERETO IS A TRUE COPY FROM THE  
RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE OF  
THOSE PAPERS OF THE BELOW IDENTIFIED PATENT APPLICATION THAT  
MET THE REQUIREMENTS TO BE GRANTED A FILING DATE UNDER  
35 USC 111.**

**APPLICATION NUMBER: 60/102,017**

**FILING DATE: September 28, 1998**



**By Authority of the  
COMMISSIONER OF PATENTS AND TRADEMARKS**

*H. Phillips*  
**H. PHILLIPS**

**Certifying Officer**